

Remarks

Claims 1-32 are currently pending. Claims 1, 6-10, 12, 17-21, 23 and 30-31 have been amended. Claims 13, 16, 22, and 24-29 have been canceled. No new claims or subject matter have been added. Applicants assert that all claims are now in condition for allowance as set forth more fully below.

102 Rejections

Claims 1-17 and 21-32 stand rejected under 35 USC 102(e) as being anticipated by McGraw (US Pat 6,748,072). Applicants respectfully traverse these rejections.

The Office Action rejects independent claims 1, 6, 8, 9 and 31 by stating that McGraw teaches a method and a system that includes all of their elements. The Office Action equates the communication center performance display and warning system **25** in Figure 1 of McGraw to the processor, computer readable medium and methods in claims 1, 6, 8, 9 and 31. However, as discussed below, there are several distinguishing aspects in relation to the claims that must be acknowledged.

Claims 1-7, 12, 31 and 32

Amended claims 1, 6 and 31 recite the requesting and receiving information associated with a device configured for communication via the communication network; an error counter to record the number of times a device does not reply to the request; and a warning module for generating and transmitting a warning when the error counter exceeds its predefined tolerance level. These recitations of claims 1, 6 and 31 address electronically querying and receiving a reply from a device to verify, on an equipment level, connectivity and are contrary to McGraw which is addressed to displaying communications center performance status by tailoring and disseminating call center and telephone agent performance data for use by human telephone agents. (See Col. 1, l. 10-15)

The system and method of McGraw teaches an invention for informing telephone agents of the status of a call center where the information is tailored to the agent and provided in a way not to disturb other agents. (See Col. 4, l 1-10). For example, McGraw teaches that the status information includes status and warnings related to transaction queues (See Col.3, l 47-50; Col. 3, l 60-64). It also teaches that the data includes call-load status, agent call performance data,

percentages of required out-bound calls per agent, total numbers of calls in queue, average call handling time statistics, and any other information applicable for agent dissemination. (Col. 7, 1 15-25). McGraw does not teach the use of an error counter to monitor the connectivity of call center devices and warn a designated contact person of a connection problem. Accordingly, McGraw fails to teach all the recitations of claims 1, 6 and 31 and claims 1, 6 and 31 are allowable over McGraw for at least these reasons. Dependant claims 2-5, 7, 12 and 32 depend from allowable claims 1, 6 and 31 and are also allowable for at least the same reason.

Claim 8

Amended claim 8 recites the steps of requesting information from a device and determining the existence of a predetermined condition for a device from the received information. A warning is then generated when the received information is indicative of a predetermined condition being met. The warning includes, a set of device identification information, a desired action plan and a set of device operational information. As noted above in relation to claim 1 these recitations of claim 8 are also contrary to McGraw. McGraw does not teach the requesting of information from a device and the comparing of that information to a predefined condition. Nor does it teach sending a warning with the described data sets. Accordingly, McGraw fails to teach all recitations of claim 8 and is allowable over McGraw for at least the same reason.

Claims 9, 10, 11, 14, 15, 17-21, 23 and 30

Amended claim 9 recites monitoring one or more devices and their one or more associated voice lines, which are integral with the call center and which are connected to a communication network, by transmitting a Remote Procedure Call to the device and receiving a reply; measuring the elapsed time since the last reply from a device and comparing the elapsed time to a predefined latency threshold value assigned to the device; repeating the monitoring and measuring steps until the device's predefined latency threshold is surpassed; generating a warning when the predefined latency threshold is surpassed wherein the warning includes a set of device identification information, a desired action plan and a set of device operational information. As noted above in relation to claims 1 and 8, these recitations of claim 9 are also contrary to McGraw. McGraw does not teach the measurement of the lapsed time since a call was handled or comparing that lapse to a predetermined latency period which is the maximum

elapsed time permitted. Accordingly, McGraw fails to teach all the recitations of claim 9 and claim 9 is allowable over McGraw for at least these reasons. Dependant claims 10, 11, 14, 15, 17-21, 23 and 30 depend from an allowable claim 9 and are also allowable for at least the same reasons.

103 Rejections

Claims 18-20 stand rejected under 35 USC §103 as being unpatentable over McGraw (Patent Number 6,748,072). Applicants respectfully traverse these rejections. As noted above for the §102 rejections, the claims 18-20 that have been rejected under 35 USC §103 depend from allowable base claim 9 and are also allowable over the cited references for at least the same reasons.

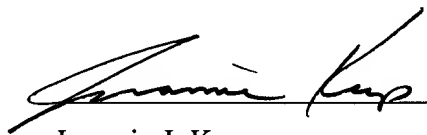
Conclusion

Applicants assert that the application including claims 1-12, 14, 15, 17-21, 23 and 30-32 is now in condition for allowance. Applicants request reconsideration in view of the amendments and remarks above and further request that a Notice of Allowability be provided. Should the Examiner have any questions, please contact the undersigned.

No fees are believed due. However, please charge any additional fees or credit any overpayment to Deposit Account No. 50-3025.

Respectfully submitted,

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